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PC25373A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : David James Rawson, et al. EXAMINER :

SERIAL NO. : 10/698354 ART UNIT :

FILED : October 31, 2003 PAPER NO. :

FOR : Therapeutic Proline Derivatives

Petition to Correct Filing Date as "Date-In" Under 37 C.F.R. 1.10(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Petition to Correct Filing Date Under 37 C.F.R. 1.10(c) is in response to the Applicants request for filing a Utility Patent Application under 37 C.F.R. 1.53(b) in the above referenced matter.

The Applicants' respectfully submit that on October 30, 2003 Applicants filed a request for Utility Patent Application under 37 C.F.R. 1.53(b). Said application was sent to MAIL STOP PATENT APPLICATION using "Express Mail Post Office to Addressee" service of the United States Postal Service according to 37 C.F.R. 1.10. The number of the "Express Mail" mailing label was placed on the Utility Application Transmittal, Fee Transmittal, Unexecuted Declaration and Power of Attorney, Specification, Certified Copy of Priority Document, Certificate of Mailing: Express Mail, and return postcard in accordance with MPEP § 503.

The Applicants deposited the application directly with an employee of the United States Post Office and received a date-in of October 30, 2003. A copy is attached hereto. The Applicants have also attached hereto a copy of the Shipment Details for the Correspondence obtained from the United States Postal Service web-site as well as a copy of the return postcard received by Applicant's on November 12, 2003.

Based on the foregoing, the Applicants respectfully request that the filing date of the above-identified patent application be corrected to reflect the "date-in" on the "Express Mail" mailing label of October 30, 2003.

10/677,836

- 2 -

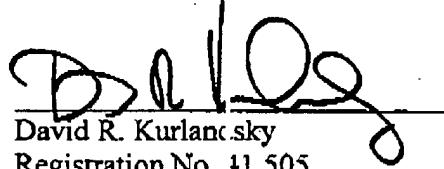
PC25386A

The Applicants respectfully submit that this Petition requires a fee and authorization is hereby given to charge any fee, which may be required, or credit any overpayment, to Deposit Account 23-0455.

Respectfully submitted,

Date: 1/28/04

By:


David R. Kurlansky
Registration No. 41,505
Warner-Lambert Company LLC
2800 Plymouth Road
Ann Arbor, MI 48105
Tel.: (734) 622-5304
Fax: (734) 622-2928

JCWSCS 28 JAN 2004

Jan-28-2004 03:00pm From- PATENT PFIZER ANN ARBOR MI

7346222928

T-823 P.001 F-572

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PTO/SB/21 (03-03)

Approved for use through 04/30/2003, OMB 0651-0031
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**TRANSMITTAL
FORM**

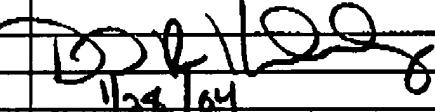
(to be used for all correspondence after initial filing)

		Application Number	10/698354
		Filing Date	October 31, 2003
		First Named Inventor	David James Rawson, et al.
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	7	Attorney Docket Number	PC 25373A

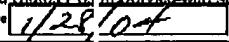
ENCLOSURES (Check all that apply)

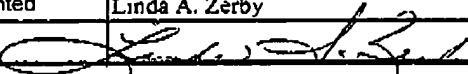
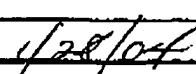
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavita/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Correct Filing Date as "Date-In" Under 37 C.F.R. 1.10(c)
Remarks AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 23-0455 IS HEREBY GIVEN.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Signature	David R. Kurlandsky 
Date	1/28/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on the date  1/28/04

Typed or printed	Linda A. Zerby
Signature	
Date  1/28/04	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

USPTO Fax No. 703-746-9195

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete If Known

Application Number	10/69835-
Filing Date	October 31, 2003
First Named Inventor	David James Rawson, et al.
Examiner Name	
Art Unit	
Attorney Docket No.	PC25373A

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	Warner-Lambert Company LLC
Deposit Account Name	23-0455

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request or ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.128(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$ 0.00)		Other fee (specify)	
*or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Filing Fee Paid	SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY

Name (Print/Type)	David R. Kurlandky	Registration No. (Attorney/Agent)	41,505	Telephone	734-622-7304
Signature			D-10		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jan-28-2004 03:02pm From-

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T-823 P.005/007 F-572

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PO Box Code <i>4613</i>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	
Date In <i>10/31/03</i>	Postage <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM		<i>S. 17.85</i>
Mo. Day Year			
Time In <i>4:00</i>	Military		Return Receipt Fee
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		
Weight <i>1 lb.</i>	Int'l Alpha Country Code <i>028</i>		COD Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <i>ST</i>		Total Postage & Fees <i>S. 17.85</i>

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DATA

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Legal Division-Patent Department
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Ann Arbor, MI 48105

Mail Stop Patent Application
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ANN ARBOR, MI 48113-9998
10/30/03 04:25PM

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Wksin 5-5002	Cashier J4GCJ0
Cashier's Name	Cherie
Stock Unit Id	SSACHERIE
PO Phone Number	734-662-2005
USPS #	2524950113

1. Exp. Mail PO-ADD
Destination: 22313
Weight: 1lb 8.30oz
Postage Type: None
Total Cost: 17.85
Base Rate: 17.85
Label#:
EK651606192US
Corporate Acct.: 481749
Amount Charged: 17.85

Number of Items Sold: 1

THANK YOU!
HAVE A GREAT DAY

PAGE 5/7 * RCVD AT 1/28/2004 2:57:59 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/1 * DNI:7469195 * CSID:7346222928 * DURATION (mm:ss):02-28

Customer Copy





Track & Confirm

Shipment Details

You entered EK65 1606 192U S

Your item was delivered at 10:12 am on October 31, 2003 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by J STECKEL.

Here is what happened earlier:

- ARRIVAL AT UNIT, October 31, 2003, 8:09 am, DULLES, VA 20102
- ENROUTE, October 30, 2003, 6:51 pm, DETROIT, MI 48242
- ACCEPTANCE, October 30, 2003, 4:25 pm, ANN ARBOR, MI 48113

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THE UNITED STATES PATENT AND TRADEMARK OFFICE IS IN RECEIPT OF A
UTILITY APPLICATION FOR FILING UNDER 37 CFR 1.53 (b) INCLUDING:

1. TRANSMITTAL OF PATENT APPLICATION (2 PAGES) 031088 U.S. PTO ✓
2. FEE TRANSMITAL (IN DUPLICATE) 10/698354 ✓
3. AN UNEXECUTED DECLARATION (4 PAGES)
4. A SPECIFICATION (92 PAGES) 103103 ✓
5. THIRTEEN (13) CLAIMS (4 PAGES)
6. AN ABSTRACT OF THE DISCLOSURE (2 PAGES)
7. CERTIFIED COPY OF PRIORITY DOCUMENT UK 0225379.7 FILED ON OCTOBER 31, 2002.
8. CERTIFICATE OF MAILING, EXPRESS MAIL NO. EK 631 606 192 US
9. AUTHORIZATION TO CHARGE THE FILING FEE AND ANY ADDITIONAL FEES OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 23-0456 ✓
10. RETURN POSTCARD

NOV 12 2003

INVENTOR: DAVID JAMES RAWSON

TITLED INVENTION: "THERAPEUTIC PROLINE DERIVATIVES"

DRK:CLP

OCTOBER 30, 2003

PC25:73A -DLK

FGB

Docketed	
DATE	12-30-03
FOR	TDS - DLK
BY:	FGB CHECKED BY: _____

FGB

Docketed	
DATE	01-30-04
FOR	TDS - DLK
BY:	FGB CHECKED BY: _____

Deadline